

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER	<input type="checkbox"/>	DATE	October 02, 2019
MOTOR CARRIER MATTER	<input type="checkbox"/>	DOCKET NO.	2019-184-E/2019-185-E 2019-186-E
UTILITIES MATTER	<input checked="" type="checkbox"/>	ORDER NO.	2019-708

THIS DIRECTIVE SHALL SERVE AS THE COMMISSION'S ORDER ON THIS ISSUE.

SUBJECT:

[DOCKET NO. 2019-184-E](#) - South Carolina Energy Freedom Act (H.3659) Proceeding to Establish Dominion Energy South Carolina, Incorporated's Standard Offer, Avoided Cost Methodologies, Form Contract Power Purchase Agreements, Commitment to Sell Forms, and Any Other Terms or Conditions Necessary (Includes Small Power Producers as Defined in 16 United States Code 796, as Amended) - S.C. Code Ann. Section 58-41-20(A);

[DOCKET NO. 2019-185-E](#) - South Carolina Energy Freedom Act (H.3659) Proceeding to Establish Duke Energy Carolinas, LLC's Standard Offer, Avoided Cost Methodologies, Form Contract Power Purchase Agreements, Commitment to Sell Forms, and Any Other Terms or Conditions Necessary (Includes Small Power Producers as Defined in 16 United States Code 796, as Amended) - S.C. Code Ann. Section 58-41-20(A);

-and-

[DOCKET NO. 2019-186-E](#) - South Carolina Energy Freedom Act (H.3659) Proceeding to Establish Duke Energy Progress, LLC's Standard Offer, Avoided Cost Methodologies, Form Contract Power Purchase Agreements, Commitment to Sell Forms, and Any Other Terms or Conditions Necessary (Includes Small Power Producers as Defined in 16 United States Code 796, as Amended) - Staff Presents for Commission Consideration the Office of Regulatory Staff's Request That All Parties Be Copied on Communications between the Independent Expert and Any of the Parties, Subject to the Need for an Executed Confidentiality Agreement or Non-Disclosure Agreement.

COMMISSION ACTION:

Grant the request. Since Act 62 provides that the qualified independent third party which the Commission is to "employ," "engage," and "hir[e]," is subject to the same ex parte prohibitions contained in Chapter 3, Title 58 as all other parties, the statute indicates that any communications between the parties and the independent consultant regarding the substantive issues in the dockets must be communicated to all parties in order to avoid potential violation of the ex parte prohibitions in Title 58, since the "qualified independent third party's duty will be to the Commission," and operates "under the authority of the Commission." Therefore, I move we instruct the parties that all parties are to be copied on communications between the Commission's independent expert and any one party.

PRESIDING: Randall

SESSION: Regular

TIME: 2:00 p.m.

	MOTION	YES	NO	OTHER
BELSER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

ERVIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
HOWARD	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
RANDALL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WHITFIELD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WILLIAMS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(SEAL)



RECORDED BY: J. Schmieding